CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

JULY 20, 2004

INVOCATION
Rev. Maggie Betancourt of Redeeming Grace Foursquare Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG
Councilmember Orach led the pledge of allegiance.

ROLL CALL
MEMBERS PRESENT
Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino.

MEMBERS ABSENT
Councilmember Patino.

ALSO PRESENT
City Manager Ness, Assistant City Manager Haydon, Interim City Attorney Stockton, Director of Administrative Services Cox, Director of Community Development Lindsey, Police Chief Macagni, Recreation and Parks Director Posada, Fire Chief Ortiz, Director of Utilities Chisam, Planning Division Manager Bierdzinski, City Engineer Sweet, Solid Waste/Utilities Engineer Zhao, Planner III Shipsey, and Chief Deputy City Clerk Perez.

PROCLAMATION – RELAY FOR LIFE
Mayor Lavagnino read a proclamation declaring July 24-25, 2004, as "Relay for Life Weekend" in the City of Santa Maria and encouraging the residents of the City of Santa Maria to join in recognizing and participating in this purposeful event held in the community and to recognize all those living with cancer and honor those who have lost their lives to the dreaded disease of cancer. The proclamation was accepted by Joyce Kurtz-Chrisman, Olga Arguijo, Vickie Chartier, and Eric Torres.

VOLUNTEER OF THE MONTH
Councilmember Mariscal presented Stanley Reyes, the Recreation and Parks Volunteer of the Month for July 2004, with a gift for his commitment and dedication to the Northern Santa Barbara County Special Olympics athletics program.

CONSENT CALENDAR
Mayor Lavagnino pulled Items M and N for discussion.

Item 2M – Thornburg Street Parking Enhancement Plan Extension.

Larry Bell, Santa Maria Fairpark, spoke against extending the perpendicular parking along Thornburg in front of the Fairpark due to safety concerns.

Mayor Lavagnino announced that the City was looking at changing the striping to 60 degree or 45 degree angled parking which would cost approximately $5,000. He asked if the Fairpark would consider sharing in the costs.

Mr. Bell indicated he did not think that was appropriate unless the Santa Maria High School also participated.

City Engineer Sweet indicated the striping plan had been successful and had supplied additional parking for the high school students. The accidents had been minor, mostly due to inexperienced drivers.

Ken San Filippo, Santa Maria High School, acknowledged that there was a parking problem at the high school and welcomed the extension of the angled parking. He said he would be happy to take a recommendation to the School Board to pay a portion of the costs to restripe at 45 degree angles.

Councilmember Orach indicated he favored the 45 degree parking.

Councilmember Mariscal agreed.

On motion by Councilmember Mariscal, second by Councilmember Orach and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Resolution No. 2004-135 was adopted with one amendment to direct staff to restripe the area with 45 degree angled parking.

Resolution No. 2004-135 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE MAINTENANCE OF STRIPING REVISIONS ON THORNBURG STREET TO ENHANCE STREET PARKING FOR A PERIOD OF TWO ADDITIONAL YEARS.

Item 2N – Elimination of Limited Time Parking Zones on Palm Court

Frank Clark stated the property owners voted almost 100 percent in favor of the parking limits when it was instituted. The issue now is the signs. The signage is more aggravating than the high school students parking in the neighborhood.

Mike Geddry stated he had had no problems with students parking in his neighborhood. The students usually pick up after themselves. He was in favor of eliminating the parking restrictions.

Gordon Gill asked for clarification on whether it would affect the area where his office was located. He was informed it would not.

Consent Calendar Items A through O except M were accepted, approved with the indicated action, and ordered ratified on motion by Councilmember Orach, seconded by Councilmember Mariscal, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

A. ORDINANCES
Recommendation of City Staff to waive the reading in full of all ordinances. Ordinances on the Consent Calendar will be adopted by the same vote cast at the first reading unless City Council indicates otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of July 6, 2004, were approved as submitted.

C. GRAND JURY REPORT
Council instructed the Mayor to sign the Council's response to the Santa Barbara County Grand Jury Report on Santa Barbara Coastal Vector Control and directed the City Manager to transmit the response to the Presiding Judge of the Superior Court and the Grand Jury.

D. BLACK ROAD REORGANIZATION AGREEMENT
Resolution No. 2004-133 was adopted providing for the negotiated exchange of property tax revenue with the County of Santa Barbara for the Black Road Reorganization, Annexation 103.

Resolution No. 2004-133 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, IN THE MATTER OF PROVIDING FOR A NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES PERTAINING TO THE BLACK ROAD REORGANIZATION, AN ANNEXATION TO THE CITY OF SANTA MARIA, AND DETACHMENT FROM THE SANTA BARBARA COUNTY FIRE PROTECTION DISTRICT, ANNEXATION 103.

E. BOND RELEASE – WESTGATE APARTMENTS

Council accepted as complete certain public improvements and authorized the release of a Faithful Performance Bond in the amount of $250,000 for the construction and installation of water and sewer improvements on the northwest corner of Blosser Road and Carmen Lane, and a Faithful Performance Bond in the amount of $61,200 for the construction and installation of sidewalk and streetlights on Blosser Road for Westgate Apartments.

F. BOND RELEASE – RIVER OAKS NORTH

Council accepted as complete certain public improvements and authorized the release of a Faithful Performance Bond in the amount of $40,000 for the construction and installation of boundary walls, with the order that the Contractor, Labor and Material Bond be held until January 2005 for River Oaks North, Tract 5778, Phase 1.

G. BOND RELEASE – OAK CREEK VILLAS

Council accepted as complete certain public improvements and authorized the release of a Faithful Performance Bond in the amount of $20,000 for the construction and installation of boundary walls, with the order that the Contractor, Labor and Material Bond be held until January 2005 for Oak Creek Villas, Tract 5810.

H. WARRANTS

Warrant Nos. 113786 to 114021 in the amount of $2,208,014.13 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant No. 113893 was canceled.

I. PAYROLL

Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads as shown on records on file in the Administrative Services Department and having been approved for payment by the Director of Administrative Services.

J. ALCOHOLIC BEVERAGE LICENSE

Council noted and filed a Notice from the California Department of Alcoholic Beverage Control of an application for an Alcoholic Beverage License in an existing warehouse for Milieu Wines located at 2717 Aviation Way.

K. ORDINANCE NO. 2004-08

Council conducted the second reading of Ordinance No. 2004-08, changing the zoning for the Home Base/House 2 Home Project, located at 1321 South Bradley Road, and adopted the ordinance.

Ordinance No. 2004-08 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA REZONING 5.18 ACRES OF PROPERTY LOCATED AT 1321 SOUTH BRADLEY ROAD.

L. SUFFICIENT REVENUES AND SERVICE CAPACITY

Resolution No. 2004-134 was adopted stating that sufficient revenues and service capacity exist for the annexation of the 1993 Sphere of Influence Boundary Amendment Project Areas.

Resolution No. 2004-134 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, STATING THAT SUFFICIENT REVENUES AND SERVICE CAPACITY EXIST IN THE CITY OF SANTA MARIA FOR ANNEXATION OF THE 1993 SPHERE OF INFLUENCE BOUNDARY AMENDMENT PROJECT AREAS.

M. THORNBURG STREET PARKING ENHANCEMENT PLAN
See above action on this item.

N. ELIMINATION OF LIMITED TIME PARKING ZONES
Resolution No. 2004-136 was adopted approving the proposed elimination of limited time parking zones along with associated preferential permit parking privileges on Palm Court between Broadway and Speed Street.

Resolution No. 2004-136 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING THE ELIMINATION OF LIMITED TIME PARKING ZONES ALONG PALM COURT.

O. SALE OF SUPPLEMENTAL STATE WATER YIELD
Resolution No. 2004-137 was adopted authorizing the sale of supplemental State Water Project yield and approving an agreement between the City of Santa Maria and Southern California Water Company for an additional 500 acre-feet of supplemental State Water for the Orcutt Area and Resolution No. 2004-145 was adopted approving a water management agreement.

Resolution No. 2004-137 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE SALE OF UP TO 500 ACRE-FEET ANNUALLY OF SUPPLEMENT STATE WATER PROJECT YIELD AND AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS FOR THE SALE OF AN ADDITIONAL 500 ACRE FEET ANNUALLY OF SUPPLEMENT STATE WATER PROJECT YIELD.

Resolution No. 2004-145 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE MAYOR TO ENTER INTO A WATER MANAGEMENT AGREEMENT WITH SOUTHERN CALIFORNIA WATER COMPANY LOCALLY KNOWN AS CAL-CITIES.

PUBLIC COMMENT
Joan Walker spoke regarding the architect and designer for the City Hall building and about docent tours.

Bob Ziener spoke about the airport and presented a copy of a letter to the editor of the Santa Maria Times.

Ernest Armenta spoke about California cities making a deal with the Governor to reduce spending without the people having any say. He also said the budget presentation should be done by the Administrative Services Director.

Sister Janet Corcoran spoke regarding the Food Bank's fundraising efforts.

James Watson spoke against fluoridation of City water.
Hector Gonzalez spoke in favor of fluoridation.

MORETTI PROPERTY
Director of Community Development Lindsey gave the staff report. The request is to consider a General Plan Amendment, Specific Plan Amendment and Zone Change request for the Moretti Property located north of Sonya Lane, East of "A" Street, West of Blosser Road and South of La Brea Avenue within the Blosser Southwest Specific Plan area. The project site is 115 acres. The proposed amendments reconfigure the school, apartment, commercial, and mobile home sites and amend the land use from LI (Light Industrial), MHP (Mobile Home Park), COS (Conservation Open Space), CF (Community Facilities), HDR (High Density Residential), and Mixed Use (Commercial, Office, Residential) to MHP (Mobile Home Park), NC (Neighborhood Commercial), COS (Conservation Open Space), ROS (Recreation Open Space), MDR (Medium Density Residential), and HDR (High Density Residential); and a zone change from PD/M-1 (Planned Development/Light Manufacturing), PD/RMH (Planned Development/Residential Mobile Home), PD/OS (Planning Development/Open Space), PD/PF (Planned Development/Public Facilities), PD/R-3 (Planned Development/High Density Residential),

and Mixed Use (Commercial, Office, Residential) to PD/RMH (Planned Development/Residential Mobile Home), PD/CC (Planned Development/Convenience Center), PD/OS (Planned Development/Open Space), PD/R-2 (Planned Development/Medium Density Residential), and PD/R-3 (Planned Development/High Density Residential).

On June 16, 2004, the Planning Commission took no action on the proposed project. On a 2-2 vote (Commissioners Benedetti and Brown voting yes, Commissioners Waterfield and Everett voting no, and Commissioner Hunter absent), the Planning Commission failed to take action on the environmental document. Therefore, they could not take action on the project itself and make a recommendation to the City Council. Based on public testimony from the surrounding Westgate Ranch residents, the consensus of the Planning Commission was to change the proposed R-3 zoning to R-2 zoning. The Commission agreed with the applicant, Jon Martin, to limit the amount of retail square footage to 140,000 square feet to protect other potential retail projects in the area. Chairman Benedetti and Commissioner Brown were in support of the proposed project and the removal of the M-1 property. They felt the 40-foot landscape buffer and the 10-foot high wall were adequate mitigation to protect the residents from noise associated with the M-2 property on the north side of La Brea Avenue. Commissioners Waterfield and Everett believed that the M-1 property served as a better land use buffer for the M-2 property than moving the mobile home park closer to La Brea Avenue and the M-2 properties. The City Council, as an alternative to staff's original recommendation, could modify the project with any or all of the comments from the Planning Commission.

A letter from Marian Hollywood opposing the apartment complex and mobile home park proposals was entered into the record.

Mayor Lavagnino opened the discussion to the applicants.

Jon Martin, Martin Farrell Homes, gave a Power Point presentation highlighting the specifics of the proposed project and showing similar projects in other areas. He brought up several points in the Public Works Memo attached to the staff report including the La Brea Flood Control Channel and access from the commercial property directly to Blosser Road.

Dave Cross, Fletcher, Cross and Associates, discussed the land use inventory summary they had conducted and their reasons for removing the industrial portion of the project to allow more affordable homes.

Michael Towbes, The Towbes Group, talked about the apartment complex that was proposed as part of the overall project. He stated that every apartment project The Towbes Group had constructed since 1972, they still owned. They did not allow tenants to misbehave. While the General Plan and zoning would allow 266 apartments units, they were proposing 220 units. R-2 zoning would reduce the number of units to 165 which would make it infeasible to build.

Councilmember Mariscal asked about the La Brea Flood Control Channel and why it appeared to be reducing in size.

City Engineer Sweet explained that it was actually increasing in size. By enlarging the existing basin instead of building another one for the project, it was saving Mr. Martin a lot of space.

Councilmember Mariscal asked if the mobile home park and apartment portions of the project would remain in Mr. Martin's portfolio.

Mr. Martin explained that they would.

Mayor Lavagnino opened the public hearing.

Chief Deputy City Clerk read a written comment from Sharon Brown in opposition to the R-3 zoning and apartments in the project.

Tim Murphy spoke in favor of the project.

Brenda Fenske spoke in favor of the project.

David Richardson, Friends of Vandenberg, spoke in support of the R-3 zoning and apartments.

Donna Wolcott, spoke in favor of the apartment complex and the need for affordable housing.

Blanca Aguilera spoke in favor of the project.

Cheryl Waller spoke in favor of the project and the need for market rate housing.

Steven Sambol spoke in favor of The Towbes Group and their apartment project in Orcutt.

Sister Janet Corcoran spoke in favor of the project and the need for affordable housing for the workers at Marian Medical Center.

Gregory Caresio spoke against the apartment portion of the project.

Steven Clark spoke in opposition to the project.

Gordon Gill, representing the Acquistapace Property, spoke in opposition to the increase in the commercial portion of the project.

Victor Lopez spoke in opposition to the apartment portion of the project.

Ernest Armenta suggested the Council send the project back to the Planning Commission or continue the item until all members of the Council were present.

Randy Miller spoke in opposition to the apartment portion of the project.

Deborah Alvino spoke in opposition to the apartment portion of the project.

Cindy Olivera spoke in opposition to the apartment portion of the project.

Ron Salter spoke in opposition to the apartment portion of the project.

James Mitchell spoke in opposition to the apartment portion of the project.

Jon Martin showed a comparison between the number of police calls at Westgate Apartments versus the number of calls to the Knollwood Meadow Apartments in Orcutt built and owned by The Towbes Group.

Hearing no further testimony, Mayor Lavagnino closed the public hearing.

Councilmember Trujillo indicated he could agree with the mobile home park, the neighborhood commercial, and medium density zoning, but could not support the high density residential. The people in the area had legitimate concerns. He recommended the R-3 be reduced to R-2.

Councilmember Orach stated he could support the mobile home park, the neighborhood commercial, and the medium density residential. He was not sure about the R-3 and struggling wit it. He indicated that the City needed to address the problems at Westgate Apartments and Westgate Park and correct them. He has seen the quality of units The Towbes Group builds and they keep them well maintained. He said he could agree to R-2 and the continuance of the Courtyard Homes if it would ease the fears of the Westgate residents and not create financial problems for Mr. Martin. The City does need market rate apartments, and he could support the R-3 zoning as well.

Councilmember Mariscal asked Director of Recreation and Parks Posada to address the issues regarding Westgate Park.

Mr. Posada explained that the park and game area would be just under five acres and the school occupied 10 acres. In addition to the grass areas, they looked at the blacktopped areas as recreational areas as well as the parking areas that are there for people using the park facilities. He indicated there was an issue of graffiti at Westgate Park and a problem with one piece of broken equipment. He said it was no worse than any other park in the City.

Councilmember Mariscal asked if the park benefited residents from areas outside of the Westgate development.

Mr. Posada explained that all City parks were available to anyone and paid for by all the taxpayers of Santa Maria. If a park's maintenance is provided by the homeowner's association, it can be private; but public parks are open to the general public.

Councilmember Mariscal asked about Gordon Gill's comments regarding the increase in commercial zoning for the project.

Director of Community Development Lindsey responded that there were many variables in the types of businesses that could go in. The increased traffic on Blosser Road would also determine what types of business could be supported. He said it would allow for competitive markets in other areas such as the Acquistapace property.

Councilmember Mariscal asked about the ingress and egress to the mobile home park.

Director Lindsey explained there were two points of ingress and egress for the mobile home park, not just one.

Councilmember Mariscal indicated that the City was considering workforce housing which means that the people who work in the City can find a place to live in the City. He asked if that was taken into consideration in designing this project.

Jon Martin stated he believed the mobile home park and apartment complex would meet a need in Santa Maria for workforce, affordable housing. The units would be for the medium income population while the Courtyard units would be for the above-medium income population.

Mayor Lavagnino indicated he liked the mobile home park and could support the project except for the R-3 zoning. Even though he knows Mr. Towbes would do a great job of maintaining the apartments, he couldn't support the R-3 in that area. He would support R-2.
Councilmember Orach stated that since he was struggling with R-2 versus R-3, he would be willing to support R-2 to avoid any delays for the applicant.

Resolution No. 2004-138 was adopted certifying the Supplemental EIR, E-2003-022, Final EIR E-88-10, readopting the CEQA Findings and Statement of Overriding Considerations, and adopting the mitigation monitoring program for the project on motion by Councilmember Trujillo, second by Councilmember Orach, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	Councilmember Patino
ABSTAIN:	None

Resolution No. 2004-138 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CERTIFYING THE SUPPLEMENTAL EIR (E-2003-022) TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SPHERE OF INFLUENCE BOUNDARY AND CONCURRENT ANNEXATION PROJECT (E-88-10), READOPTING THE CEQA FINDINGS AND STATEMENT OF OVERRIDING

CONSIDERATIONS, AND ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE MORETTI PROJECT (AREA 6B) GENERAL PLAN (LAND USE) AMENDMENT, REZONING, AND SPECIFIC PLAN AMENDMENT, GPZ-2003-002 AND SPZ-2003-002.

Resolution No. 2004-139 was adopted amending the General Plan (Land Use) with the change from High Density Residential to Medium Density Residential on motion by Councilmember Trujillo, second by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Orach, Trujillo, and Mayor Lavagnino
NOES: Councilmember Mariscal
ABSENT: Councilmember Patino
ABSTAIN: None

Resolution No. 2004-139 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A GENERAL PLAN (LAND USE ELEMENT) AMENDMENT FOR THE MORETTI PROPERTY, AREA 6B, LOCATED NORTH OF SONYA LANE, EAST OF "A" STREET, WEST OF BLOSSER ROAD AND SOUTH OF LA BREA AVENUE WITHIN THE BLOSSER SW SPECIFIC PLAN.

Ordinance No. 2004-09 changing the zoning was introduced by title only for first reading with the amendment from R-3 (High Density Residential) to R-2 (Medium Density Residential) and continued to the next meeting for second reading and adoption on motion by Councilmember Trujillo, second by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Ordinance No. 2004-09 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REZONING THE MORETTI PROPERTY, AREA 6B, LOCATED NORTH OF SONYA LANE, EAST OF "A" STREET, WEST OF BLOSSER ROAD AND SOUTH OF LA BREA AVENUE WITHIN THE BLOSSER SW SPECIFIC PLAN.

Resolution No. 2004-140 was adopted amending Sections 1 and 2 of the Blosser Southwest Specific Plan with the amendment from High Density Residential to Medium Density Residential on motion by Councilmember Trujillo, second by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Orach, Trujillo, and Mayor Lavagnino
NOES: Councilmember Mariscal
ABSENT: Councilmember Patino
ABSTAIN: None

Resolution No. 2004-140 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AMENDMENTS TO SECTION 1 AND 2 OF THE BLOSSER SOUTHWEST SPECIFIC PLAN LOCATED NORTH OF SONYA LANE, EAST OF "A" STREET, WEST OF BLOSSER ROAD AND SOUTH OF LA BREA AVENUE WITHIN THE BLOSSER SW SPECIFIC PLAN.

Ordinance No. 2004-10 approving amendments to Section 3 of the Blosser Southwest Specific Plan was introduced by title only for first reading and continued to the next meeting for second reading and adoption on with the amendment from High Density Residential to Medium Density Residential motion by Councilmember Trujillo, second by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Ordinance No. 2004-10 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AMENDMENTS TO SECTION 3 OF THE BLOSSER SOUTHWEST SPECIFIC PLAN FOR THE MORETTI PROPERTY, AREA 6B, SPZ-2003-002, E-2003-022, LOCATED NORTH OF SONYA LANE, EAST OF "A" STREET, WEST OF BLOSSER ROAD AND SOUTH OF LA BREA AVENUE WITHIN THE BLOSSER SW SPECIFIC PLAN.

CARON/L&S LAND COMPANY PROJECT

Director of Community Development Lindsey gave the staff report. The project is a General Plan Amendment and Zone Change request for the Caron/L&S Land Company Project, located in the 2200-2300 block of "A" Street. The project site consists of 12.71 acres. The proposed amendments include a Mitigated Negative Declaration, an amendment to the General Plan (Land Use) from LI (Light Industrial) to HCM (Heavy Commercial Manufacturing) and a zone change from PD/M-1 (Planned Development/Light Manufacturing) to PD/CM (Planned Development/Commercial Manufacturing). This application is similar to the Meyer project directly to the east of the site.

On June 16, 2004, the Planning Commission adopted Resolutions 2335 and 2336 on a 4-0 vote (Commissioner Hunter absent), recommending that the City Council approve the Mitigated Negative Declaration and approve the General Plan Amendment and Zone Change.

Mayor Lavagnino opened the public hearing.

Greg Villegas, Tom B. Martinez & Associates, spoke in favor of the project.

Hearing no further testimony, Mayor Lavagnino closed the public hearing.

Resolution No. 2004-141 was adopted approving a Mitigated Negative Declaration on motion by Councilmember Orach, second by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Resolution No. 2004-141 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA ADOPTING A MITIGATED NEGATIVE DECLARATION (E-2003-058) FOR THE CARON/L&S LAND COMPANY GENERAL PLAN (LAND USE ELEMENT) AND REZONING PROJECT, GPZ-2003-008 LOCATED IN THE 2200-2300 BLOCK OF "A" STREET, ASSESSOR'S PARCEL NO. 111-040-004.

Resolution No. 2004-142 was adopted approving the General Plan Amendment on motion by Councilmember Orach, second by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Resolution No. 2004-142 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA APPROVING A GENERAL PLAN (LAND USE ELEMENT)

AMENDMENT FOR 12.71 ACRES OF PROPERTY LOCATED IN THE 2200-2300 BLOCK OF "A" STREET, ASSESSOR'S PARCEL NO. 111-040-004.

Ordinance No. 2004-11 rezoning the property was introduced by title only and continued to the next meeting for second reading and adoption on motion by Councilmember Orach, second by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Ordinance No. 2004-11 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA REZONING 12.71 ACRES OF PROPERTY LOCATED IN THE 2200-2300 BLOCK OF "A" STREET, ASSESSOR'S PARCEL NO. 111-040-004.

2004 ANNUAL WEED ABATEMENT PROGRAM ASSESSMENTS

Director of Public Works Karp gave the staff report. On April 20, 2004, the City Council adopted Resolution No. 2004-67 ordering the Streets and Facilities Manager to abate nuisances consisting of weeds, rubbish, and dirt. Letters were mailed to 198 properties informing the property owners of the need to abate the nuisances. After receiving the letter, property owners abated 164 of the lots. Six lots were in the process of being developed or under construction. The City's contractor abated weeds and debris on the remaining 28 lots, down from 41 lots abated last year.

Mayor Lavagnino opened the public hearing.

Hearing no protests, the public hearing was closed.

Resolution No. 2004-143 was adopted confirming the annual weed abatement assessments for 2004 on motion by Councilmember Orach, second by Councilmember Mariscal, and carried on the following vote:

AYES: Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES: None
ABSENT: Councilmember Patino
ABSTAIN: None

Resolution No. 2004-143 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING REPORT OF WEED ABATEMENT COSTS FOR ASSESSMENT PURPOSES BY THE STREETS AND FACILITIES MANAGER.

REGIONAL LANDFILL SITE FACILITY PLAN AND SUPPLEMENTAL EIR.

Director of Utilities Chisam gave the staff report. The request is for approval of the Supplemental Environmental Impact Report which evaluated the project and cumulative environmental impacts associated with the following programs: moving facilities to accommodate waste disposal in the lined landfill future area; increasing the height of the previous active landfill area using Non-hazardous Hydrocarbon Impacted Soils (NHIS) as a closure foundation layer; and implementing waste diversion operations promoting recycling of concrete and asphalt, agricultural plastic, green waste, construction and demolition materials, metals, and other materials. With a priority to mitigate all environmental issues, staff began to plan for programs that would enable the City to improve the current landfill facility as the long-term, integrated solid waste management facility for north Santa Barbara County; improve the operation efficiency while maintaining State mandated recycling goals; and make efficient use of open space in the closed landfill area.

Mayor Lavagnino asked about the agricultural plastic at the landfill.

Director Chisam explained that John Zhao had developed a plan to bale the agricultural plastic for use at the landfill.

Councilmember Orach indicated he liked the new plan with Betteravia Road being the corridor for the large garbage trucks instead of Main Street where there was development occurring.

Councilmember Mariscal asked when the landfill would be able to accept construction materials for recycling.

Director Chisam explained that until the permit is updated, they could not recycle construction materials.

Mayor Lavagnino opened the public hearing.

Hearing no testimony, Mayor Lavagnino closed the public hearing.

Councilmember Orach commended Director Chisam and John Zhao for all the new programs at the landfill and the free landfill day certificate.

Resolution No. 2004-144 was adopted certifying the Final Environmental Impact Report on motion by Councilmember Orach, second by Councilmember Mariscal, and carried on the following vote:

AYES:	Councilmembers Mariscal, Orach, Trujillo, and Mayor Lavagnino
NOES:	None
ABSENT:	Councilmember Patino
ABSTAIN:	None

Resolution No. 2004-144 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARING HOUSE NO. 92031045), INCLUDING THE ERRATA, ADOPTING THE CEQA FINDINGS, ADOPTING THE STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING THE MITIGATION MONITORING PROGRAM FOR THE SANTA MARIA REGIONAL LANDFILL SITE FACILITY PERMIT.

REPORT BY CITY MANAGER

City Manager Ness reported on items for the August 3, 2004, City Council meeting including a presentation of the Chamber of Commerce semi-annual report, the Fourth Quarter Financial Report, public hearings for the Meyer Zoning Text Amendment, a Zoning Text Amendment in the R-2 zone related to density, and the Media Center Fees and Fines, as well as a commendation for Michael Cox whose last day would be August 6th.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS

There were none.

CLOSED SESSION

The City Council recessed at 9:52 p.m. to a Closed Session for Conference with Legal Counsel regarding existing litigation pursuant to Subsection (a) of Government Code Section 54956.9 to discuss Santa Maria Valley Water Conservation District v. City of Santa Maria.

After the Closed Session, the following was announced:

Santa Maria Valley Water Conservation District v. City of Santa Maria – Status report and direction to staff.

ADJOURNMENT

There being no further business to come before the City Council at this time, the meeting was declared adjourned at 10:47 p.m. by order of Mayor Lavagnino.

APPROVED August 3, 2004
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST:
Chief Deputy City Clerk

Mayor of the City of Santa Maria